

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 22-10663

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TROY SMITH,  
individually and on behalf of all others similarly situated,  
BRENDAN C. HANEY,  
individually and on behalf of all others similarly situated,  
GERALD E. REED, IV,  
individually and on behalf of all others similarly situated,

Plaintiffs-Appellees,

COSTA DEL MAR, INC.,  
a Florida corporation,

Defendant-Appellee,

*versus*

MITCHELL GEORGE MIORELLI,  
AUSTIN VALLS,  
JOHN W. DAVIS,

Interested Parties-Appellants.

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Appeal from the United States District Court  
for the Middle District of Florida  
D.C. Docket No. 3:18-cv-01011-TJC-LLL

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ORDER:

The Parties shall be prepared to address the following issue at oral argument:

When the Magnuson-Moss Warranty Act's jurisdictional requirements are not satisfied, does the Class Action Fairness Act provide an independent basis for a federal district court to exercise subject matter jurisdiction over a class action lawsuit that brings a Magnuson-Moss Warranty Act claim only? *See Rowland v. Bissell Homecare, Inc.*, 73 F.4th 177 (3d Cir. 2023); *Floyd v. Am. Honda Motor Co.*, 966 F.3d 1027 (9th Cir. 2020).

DAVID J. SMITH  
Clerk of the United States Court of  
Appeals for the Eleventh Circuit

ENTERED FOR THE COURT - BY DIRECTION